

EXHIBIT A

1 Q And do you have any children besides 14:17:36
2 your daughter? 14:17:39

3 A Yes. 14:17:48

4 Q And who is your daughter who was working 14:17:50
5 with you with LexisNexis? What is her name? 14:17:54

6 A Paula Arrington. 14:17:57

7 Q How long have you been in what I call 14:17:58
8 the records gathering business? How long have you 14:18:06
9 gone to or interacted with the Virginia 14:18:10
10 courthouses? 14:18:16

11 A I will say approximately 20 years. 14:18:19

12 Q I had an opportunity to take three other 14:18:23
13 depositions last week for other contractors that 14:18:28
14 involved LexisNexis, and so I'm going to skip 14:18:30
15 through some of those categories; but I do want to 14:18:36
16 make sure that I at least go through your 14:18:39
17 experience. 14:18:41

18 As of today, you are still paid to 14:18:42
19 gather public -- Virginia judgment public 14:18:46
20 information, correct? 14:18:47

21 A Yes. 14:18:51

22 Q And you were paid by LexisNexis?

23 A Yes.

24 Q Do you know the actual or the legal name
25 of the LexisNexis entity that hired you?

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1 Choice Point? 14:21:03

2 A There was a company before that one, but 14:21:06

3 I don't remember what it was, the name of it right 14:21:09

4 now. I know the one before it was Credit -- I 14:21:12

5 think it was Credit Bureau of Southwest Virginia, 14:21:15

6 was the first one. And then the second one, I 14:21:19

7 can't remember. Then I know Choice Point came 14:21:20

8 along. 14:21:22

9 Q Do you know if it was National Data? 14:21:25

10 A National data. 14:21:28

11 Q NDR? 14:21:35

12 A Yes, it was NDR. Yes, I think that is 14:21:37

13 what it was, NDR. 14:21:42

14 Q And so, those are -- at least -- let's 14:21:46

15 just take it from the Choice Point and going 14:21:49

16 forward. The only two entities since you began 14:21:52

17 doing this work for Choice Point, the only two 14:21:55

18 entities that have hired you to do records 14:22:02

19 retrieval of Virginia court documents and court 14:22:10

20 information have been Choice Point and LexisNexis? 14:22:13

21 A Yes. 14:22:15

22 Q As of today, do you know the General

23 District Courts jurisdictions that are your

24 responsibility or your territory?

25 A Yes.

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1 Q Can you slowly list them for me? 14:22:33

2 A Yes. You want them as a whole, because 14:22:34

3 my daughter and myself, we work these together? Is 14:22:38

4 that -- I will give you all of it, our territory? 14:22:39

5 Q Sure. Let's go ahead and get the 14:22:41

6 territory and then I will ask what you do and what 14:22:47

7 your daughter does. 14:22:47

8 A Okay. It is Martinsville, Virginia; 14:22:50

9 Henry County. 14:22:55

10 Q Okay. 14:23:03

11 A Henry County. 14:23:08

12 Q Okay. How many of them are there? 14:23:10

13 A I think there is eight. Let me count 14:23:11

14 them. I think it is eight. I think it is eight. 14:23:12

15 Q All right. So Henry County is the 14:23:14

16 second one? 14:23:22

17 A Okay. And then there is -- 14:23:45

18 Q What is the third? 14:24:10

19 A Franklin County courthouse, yeah. Then 14:24:12

20 there is Montgomery County, Danville, Pittsylvania, 14:24:13

21 Galax, Floyd and Carroll County. 14:24:19

22 Q Have you ever been responsible for

23 Roanoke?

24 A No. My daughter has, but I never have.

25 Q Okay. So what counties is your daughter

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1 Radford today? 14:28:01

2 A No, I don't. 14:28:03

3 Q What are you hired to do or what 14:28:07

4 information are you hired by LexisNexis to obtain 14:28:10

5 from these eight counties? 14:28:13

6 A I collect the judgments, the data, yes. 14:28:16

7 Q You collect just the original judgments? 14:28:20

8 A I go to the original -- they have like a 14:28:22

9 binder. I don't do it off the computer. They have 14:28:23

10 a binder and that is what I use. 14:28:26

11 Q And is that true for all eight of these 14:28:30

12 counties? 14:28:33

13 A Yes. 14:28:34

14 Q If you wanted to use the computer, there 14:28:39

15 is a computer in each county Clerk's office, is 14:28:40

16 that correct? 14:28:47

17 A Martinsville, no. There is -- 14:28:49

18 Q Martinsville does not? 14:28:51

19 A No. And it ties it up and would -- 14:28:52

20 Q It would tie it up at Martinsville or 14:28:55

21 tie it up -- 14:28:58

22 A You know, just in general because

23 putting in the work, it ties the computer up for

24 other people.

25 Q And so what information can you obtain

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1 in the computer that is not already in the binder? 14:29:22

2 A I don't know. I mean I guess they are 14:29:23

3 the same. I just use the binders all of the time. 14:29:26

4 Q And the binders have all of these 14:29:29

5 judgments? 14:29:33

6 A Yes, sir. 14:29:37

7 Q Does it also have the Warrant of Debts? 14:29:40

8 A Yes. 14:29:50

9 Q Now, is there any -- I think you just 14:29:52

10 answered the question; but again, I want to be 14:29:55

11 clear. Is there any difference -- strike that. I 14:30:00

12 will withdraw that. 14:30:04

13 Have you ever obtained judgment 14:30:07

14 information from one of the court's computers? 14:30:10

15 A They have done it for me before, yes. I 14:30:17

16 have -- well, I take that back. I have, too. They 14:30:20

17 have let me use their computer sometimes, but most 14:30:23

18 of the time I will ask them for it. 14:30:25

19 Q And what about your daughter, does she 14:30:27

20 ever use the computers to gather judgment 14:30:29

21 information from the Virginia General District 14:30:33

22 Court clerk's offices?

23 A Hers is pretty much like mine. It is

24 folders, when she collects; but she hasn't been

25 doing it lately because I have been doing it. But

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1 Q Now, let's talk about category two. 14:41:51

2 Category two are dispositions. The most common is 14:41:52

3 satisfactory. 14:41:55

4 A Yes. 14:41:57

5 Q You understand what I'm talking about? 14:42:04

6 A Yes. 14:42:08

7 Q Are you currently responsible for 14:42:12

8 collecting category two, that is all dispositions? 14:42:17

9 A Yes. 14:42:22

10 Q And how far or how long back do you 14:42:25

11 recall that it has been your responsibility to 14:42:28

12 collect every disposition at these eight counties? 14:42:31

13 A Well, at one time they did a printout 14:42:35

14 for us at the courthouse and put satisfactions, but 14:42:42

15 they stopped. That has probably been -- it has 14:42:46

16 been a while, maybe three years or so ago. Three 14:42:56

17 or four years ago, they stopped. 14:42:57

18 Q And since the printout stopped three or 14:42:59

19 four years ago, how do you collect dispositions 14:43:04

20 without the printouts? 14:43:07

21 A When I collect my records, monthly 14:43:09

22 records, I collect them then and that is -- you

23 know, I collect -- if they are satisfied, I get

24 them.

25 Q So, in the courthouse, you actually look
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1 at the underlying review of the Court records, 14:43:28
2 including any orders to vacate or notices of 14:43:32
3 satisfaction, etcetera, correct? 14:43:35

4 A When I collect judgments, I collect 14:43:42
5 them, yes, based -- if that is what you are saying. 14:43:46
6 When I go get my judgments and they are satisfied 14:43:49
7 and vacated, that is how I collect them. 14:43:56

8 Q Are you able to -- using the process you 14:43:58
9 follow in these eight courthouses, are you able to 14:43:58
10 collect all -- systematically attempt to collect 14:44:00
11 all of the judgments, dispositions -- 14:44:05

12 A Yes. 14:44:10

13 Q -- except an occasional one? 14:44:13

14 A No, not all. I mean I can't collect all 14:44:17
15 because, you know, if they satisfied back in '04 or 14:44:22
16 '95, you know, I would have to go through all of 14:44:28
17 those folders. 14:44:30

18 Q So, all of the dispositions that come in 14:44:35
19 today, you would be responsible to collect all of 14:44:38
20 the ones that they had? 14:44:40

21 A Yes. That was there, yes. 14:44:41

22 Q And that would be true for four years, 14:44:41
23 correct? 14:44:41

24 A Yes. Yes. Ever since they stopped 14:44:41
25 giving me the printout, I get what I have in my 14:44:41

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1 folders. 14:45:15

2 Q Okay. Do you know what this -- the 14:45:19

3 lawsuit that has caused this deposition, do you 14:45:21

4 know what that lawsuit is about? 14:45:29

5 A No, sir; I don't. 14:45:30

6 Q When was the first time that you heard 14:45:34

7 about a lawsuit brought involving the collection of 14:45:37

8 judgment record? 14:45:41

9 A I got a subpoena from this lawyer. I 14:45:43

10 can't even remember her name. That is the first I 14:45:45

11 knew about it. 14:45:47

12 Q How long ago did you receive that 14:45:52

13 subpoena and what did you do? 14:45:55

14 A I e-mailed Demi, my territory 14:45:56

15 coordinator, and told her what was going on. 14:45:58

16 Q And then what was the next communication 14:46:02

17 you had? 14:46:14

18 A She told me that she would get in touch 14:46:15

19 with the attorney and, of course, Ron, he got in 14:46:28

20 touch with me. 14:46:32

21 Q If you would, take a look at Exhibit 3. 14:46:40

22 You don't have to read it. These are the documents

23 that -- these are the documents that Mr. Raether

24 gave us. Mr. Raether's office put things on the

25 bottom, so you can see the numbers one through 422.

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1 MR. RAETHER: Did he say 122? 14:47:05

2 BY MR. BENNETT: 14:47:08

3 Q And I'm looking at -- it appears to just 14:47:13

4 be some manuals that you have from LexisNexis. 14:47:17

5 We had also requested any communications 14:47:24

6 you had had with LexisNexis due to your 14:47:28

7 communications to them and their communications to 14:47:29

8 you. Have you provided e-mails, letters or other 14:47:33

9 communications to Mr. Raether, when provided these 14:47:36

10 documents to him? 14:47:39

11 A I looked, but I have -- my computer was 14:47:45

12 full and I deleted pretty much everything. I have 14:47:48

13 looked and I cannot find anything. If I had, I 14:47:53

14 would have gave them to him, but I did not. 14:47:59

15 Q In your time working with LexisNexis, 14:48:00

16 has anybody or any -- any communication from 14:48:11

17 LexisNexis ever advised you to regularly delete 14:48:24

18 e-mail? 14:48:28

19 A No. 14:48:29

20 Q Looking at this, are you aware of any 14:48:41

21 systematic problems or accuracy problems with the 14:48:45

22 way that any of their towns keep track of their

23 judgment or their judgment disposition data?

24 A Well, sometimes when I am working, like

25 the amount or certain things, maybe a date or

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1 something doesn't look clear, I will ask the clerk, 14:49:05
2 you know, to verify the amount; or if there is 14:49:09
3 something that doesn't look right, I will ask her a 14:49:11
4 question about it and she will look it up for me. 14:49:19

5 Q But other than that type of concern, 14:49:23
6 like maybe the legibility or the amount that is in 14:49:26
7 the record or copy, do you have any other -- any 14:49:27
8 other accuracy concerns or systematic problems with 14:49:33
9 the accuracy of information in any of these 14:49:34
10 courthouse? 14:49:42

11 A No, sir. 14:49:43

12 Q All right. Let's take a moment off the 14:49:46
13 record. 14:51:30

14 THE VIDEOGRAPHER: Off the record at 14:51:31
15 2:49 p.m. 14:51:36

16 (Off the record) 14:51:38

17 THE VIDEOGRAPHER: On the record at 14:51:40
18 2:51 p.m. 14:51:41

19 MR. BENNETT: Ma'am, I don't have any 14:51:44
20 further questions, but Mr. Goheen may, the 14:51:45
21 other gentleman that is on the screen. 14:51:47

22 THE WITNESS: Thank you.

23 MR. GOHEEN: I don't have any questions.
24 I thank you for your time today, ma'am.

25 THE WITNESS: You are welcome.

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